

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

21-CV-

-v-

\$4,500 UNITED STATES CURRENCY,

Defendant.

VERIFIED COMPLAINT FOR FORFEITURE

The United States of America, by its attorneys, James P. Kennedy, Jr., United States Attorney for the Western District of New York and Grace M. Carducci, Assistant United States Attorney, of counsel, for its Verified Complaint herein alleges as follows:

CAUSE OF ACTION

1. This is an action in rem pursuant to Title 21, United States Code, Section 881(a)(6) for the forfeiture of \$4,500 United States Currency, (hereinafter “defendant currency”), which was seized on or about October 22, 2020 from 1 Van Dorn Avenue, Mount Morris, NY 14510, the residence of Juan Ortiz (hereinafter “Ortiz”).

2. The defendant currency is now in the custody of the United States Marshals Service (“USMS”), Western District of New York, and is held within the jurisdiction of this Court.

3. This Court has subject matter jurisdiction of this action pursuant to Title 28, United States Code, Sections 1345, 1355, and 1395, and in rem jurisdiction pursuant to Title

28, United States Code, Sections 1355(b) and 1355(d). Venue is properly premised in the Western District of New York pursuant to Title 28, United States Code, Section 1395.

BACKGROUND INFORMATION

4. In October 2020, Ortiz was being investigated by the Livingston County Sheriff's Office for drug trafficking in the Mount Morris, New York area.

5. The Task Force, utilizing a confidential informant, made four controlled purchases of crack cocaine from 1 Van Dorn Avenue, Mount Morris, New York (hereinafter "the residence") during the month of October 2020, in which multiple grams of crack cocaine were seized. Three of the sales were made by Ortiz, and one was made by his girlfriend, Heidi Albelo (hereinafter "Albelo"). All of the sales were made from the residence.

SEIZURE OF THE DEFENDANT CURRENCY

6. On October 22, 2020, the Livingston County Sheriff's Office executed a search warrant at the residence. As a result of the search, \$7,922.66 in United States Currency and amounts crack cocaine, as specified below, were seized.

7. The following items, among others, were located and seized during the execution of the search warrant:

a. In the main bedroom:

- i. Mail addressed to Evelyn Cardona and Ortiz;
 - ii. A cell phone; and
 - iii. other electronic devices.
- b. In the nightstand in the main bedroom:
 - i. \$127 United States Currency;
 - ii. \$540 United States Currency in middle drawer;
 - iii. loose change;
 - iv. one wallet in top drawer; and
 - v. one digital scale in top drawer.
- c. 147.4 grams of crack cocaine
- d. \$3069 United States Currency
- e. \$2254 United States Currency
- f. one clear bag containing 9.6 grams of crack cocaine separated into 14 small bags
- g. one wallet
- h. narcotic packaging bags
- i. On the kitchen counter:
 - i. Several plastic bags.
- j. In the center console of a Black Honda
 - i. \$14 United States currency.
- k. In the center console of a Black Truck
 - i. \$42 United States Currency.

8. Law Enforcement transported Albelo and Ortiz to the Mount Morris Police Department where they were read their Miranda Rights and interviewed by an investigator.

9. In sum and substance, Albelo stated she did not know what was going on, and that she knew nothing about drugs in the residence or being sold from the residence.

10. In sum and substance, Ortiz stated that he was not going to act dumb. Ortiz stated that his Albelo had nothing to do with anything, and she told him that he needed to stop. Ortiz also admitted that he had a few bags of crack cocaine and cash in his nightstand. He claimed that the cash in his nightstand was "drug money" and the rest of the money in the house was legitimate. The investigator informed Ortiz that law enforcement found a larger amount of crack cocaine, and he said the small amount in his sock drawer was for personal use. Ortiz stated that his source sells him 62 grams of crack cocaine for approximately \$3,600 and that Ortiz sells it and keeps half of the profit. Ortiz also stated his source credited him with 86 grams worth, and he owes approximately \$13,000. He stated that his supplier is a guy in the City of Rochester that he has known for years, and he owes his supplier money.

11. Ortiz was charged pursuant to New York State Penal Law with Criminal Possession of a Controlled Substance in the Third Degree with intent to sell, a felony, and Criminal Possession of a Controlled Substance in the Second Degree with intent to sell, a felony. The state charges are pending.

EMPLOYMENT

12. Law Enforcement reports that there is no known employment for Albelo, and Ortiz is a Disabled Laborer.

CLAIM FILED IN THE ADMINISTRATIVE FORFEITURE PROCEEDINGS

13. Albelo filed a claim for \$4,500 of the \$7,922.66 United States Currency with the Drug Enforcement Administration (“DEA”) on May 24, 2021, to halt the administrative forfeiture proceedings against the defendant currency and refer it for judicial forfeiture proceedings. No other claims were submitted for the \$7,922.66 United States currency.

CONCLUSION

14. Based on all the foregoing facts, and circumstances, and the experience and training of the law enforcement officers involved, the \$4,500 United States Currency was furnished or intended to be furnished in exchange for controlled substances, was used or intended to be used to facilitate the purchase or sale of a controlled substance, or constitutes proceeds traceable to such an exchange, and therefore, is subject to seizure and forfeiture to the United States of America pursuant to Title 21, United States Code, Section 881(a)(6).

the United States of America pursuant to Title 21, United States Code, Section 881(a)(6).

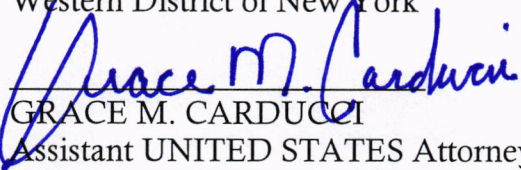
WHEREFORE, the United States of America respectfully requests that:

- (1) that an arrest warrant in rem be issued for the arrest of the defendant currency;
- (2) that notice of this action be given to all persons known or thought to have an interest in or right against the defendant property;
- (3) that a judgment be entered declaring the defendant currency condemned and forfeited to the United States of America for disposition in accordance with the law;
- (4) that the costs of this suit be paid to and recovered by the United States of America; and
- (5) that the Court grants such other and further relief as deemed just and proper.

DATED: August 19, 2021, at Rochester, New York.

JAMES P. KENNEDY, JR.
United States Attorney
Western District of New York

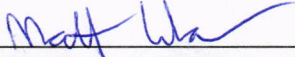
By:


GRACE M. CARDUCCI
Assistant UNITED STATES Attorney
United States Attorney's Office
Western District of New York
100 State Street, Suite 500
Rochester, New York 14614
(585) 399-3954
grace.carducci@usa.doj.gov

STATE OF NEW YORK)
COUNTY OF MONROE) ss.:
CITY OF ROCHESTER)

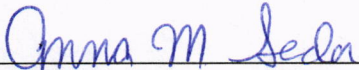
MATTHEW WALKER, being duly sworn, deposes and says:

I am a Special Agent with the Drug Enforcement Administration (DEA), Rochester Resident Office, and I am familiar with the facts and circumstances surrounding the seizure of \$7,922.66 United States Currency from 1 Van Dorn Avenue, Mount Morris, NY 14510 on or about October 22, 2020. The facts alleged in the Complaint for Forfeiture are true to the best of my knowledge and belief based upon information furnished to me by officials of the DEA, and the Livingston County Sheriff's Office, and provided to the officials of the United States Attorney's Office.



Matthew S. Walker
Special Agent
Drug Enforcement Administration

Subscribed and sworn to
before me this 24th day of August, 2021.



Notary Public

ANNA M. SEDOR
Notary Public, State of New York
Monroe County
Commission Expires Oct. 31, 2021

JS 44 (Rev. 08/16)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS
United States of America**DEFENDANTS**

\$4,500 United States Currency

(b) County of Residence of First Listed Plaintiff _____
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.(c) Attorneys (Firm Name, Address, and Telephone Number)
United States Attorney's Office, Western District of NY
Grace Carducci, AUSA
100 State Street, Suite 500, Rochester, NY 14614

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☒ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input checked="" type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
		IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTIONCite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
21 U.S.C. § 881Brief description of cause:
Forfeiture of Property**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No**VIII. RELATED CASE(S) IF ANY**

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
- United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
- Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
- Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
- Original Proceedings. (1) Cases which originate in the United States district courts.
- Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
- Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
- Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
- Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
- Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
- Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
- PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7.** Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
- Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
- Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.



IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

21-CV-_____

\$4,500 UNITED STATES CURRENCY,

Defendant.

ARREST WARRANT IN REM

TO: THE UNITED STATES MARSHALS SERVICE OF THE WESTERN DISTRICT OF NEW YORK AND/OR ANY OTHER DULY AUTHORIZED LAW ENFORCEMENT OFFICER:

WHEREAS, a Verified Complaint of Forfeiture has been filed on August 25, 2021, in the United States District Court for the Western District of New York, by James P. Kennedy, Jr., United States Attorney, on behalf of the United States of America, plaintiff, alleging that the defendant property is subject to seizure and forfeiture to the United States pursuant to 21 U.S.C. §881(a)(6).

YOU ARE, THEREFORE, HEREBY COMMANDED to arrest and seize the defendant property, and use discretion and whatever means appropriate to protect and maintain said defendant property; and

YOU ARE FURTHER COMMANDED to provide notice of this action to all persons thought to have an interest in or claim against the defendant property, and that you promptly, after execution of this process, file the same in this Court with your return thereon.

All persons asserting an interest in the defendant property and who have received direct notice of the forfeiture action must file a Verified Claim with the Clerk of this Court pursuant to Rule G(5) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions, **thirty-five (35) days** after the notice is sent; or if notice was published but direct notice was not sent to the claimant or the claimant's attorney, a claim must be filed no later than thirty (30) days after final publication of newspaper notice or legal notice or no later than sixty (60) days after the first day of publication on an official internet government forfeiture site; or within the time that the Court allows, provided any request for an extension of time from the Court is made prior to the expiration of time which the person must file such verified claim. In addition, any person having filed such a claim shall also serve and file an answer to the complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within twenty-one (21) days after filing the claim, and any person having timely filed such claim and answer must appear before this Court, at Rochester, New York on a date determined by the Court.

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

Supplemental Rule G(5) provides in pertinent part: "The Claim must: (A) identify the specific property claimed; (B) identify the claimant and state the claimant's interest in the property; (C) be signed by the claimant under penalty of perjury; and (D) be served on the government attorney designated under Rule G(4)(a)(ii)(C) or (b)(ii)(D).

All persons asserting an interest in the defendant property are required to file a Claim in the Clerk's Office and to answer the Complaint within the times above fixed: otherwise, judgment by default will be filed for the relief demanded in the complaint.

Claims and Answers are to be filed with the Clerk, United States District Court for the Western District of New York, U.S. Courthouse, 100 State Street, Rochester, New York 14614 with a copy thereof sent to Assistant United States Attorney Grace Carducci, 100 State Street, Suite 500, Rochester, New York 14614.

This warrant is issued pursuant to **Rule G(3) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure.**

WITNESS THE HONORABLE	UNITED STATES DISTRICT JUDGE AT
DATE	CLERK
	(BY) DEPUTY CLERK

Returnable 75 days after issue

United States Marshals Service's Return

DISTRICT	DATE RECEIVED	DATE EXECUTED
US MARSHAL	(BY) DEPUTY MARSHAL	

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES,
Plaintiff,

-v-

21-CV-
Request for Arrest Warrant
in Rem Cover Sheet

\$4,500 UNITED STATES CURRENCY,
Defendant.

☒ The property is in the government's possession, custody, or control.


The United States of America respectfully requests that the Clerk to issue a warrant of arrest in rem pursuant to Rule G(3)(b)(i) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

----- OR -----

☐ The property is not in the government's possession, custody, or control.

The United States of America shall make a motion requesting that the Court issue a warrant of arrest in rem pursuant to Rule G(3)(b)(ii) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions.

Dated: 8/19/2021


Assistant United States Attorney